

1 Neel Chatterjee (SBN 173985)
2 *nchatterjee@goodwinlaw.com*
3 James Lin (SBN 310440)
4 *jlin@goodwinlaw.com*
GOODWIN PROCTER LLP
5 135 Commonwealth Drive
6 Menlo Park, California 94025
7 Tel.: +1 650 752 3100
8 Fax.: +1 650 853 1038

9 Brett Schuman (SBN 189247)
10 *bschuman@goodwinlaw.com*
11 Shane Brun (SBN 179079)
12 *sbrun@goodwinlaw.com*
13 Rachel M. Walsh (SBN 250568)
14 *rwalsh@goodwinlaw.com*
15 Hayes P. Hyde (SBN 308031)
16 *hhyde@goodwinlaw.com*
GOODWIN PROCTER LLP
17 Three Embarcadero Center
18 San Francisco, California 94111
19 Tel.: +1 415 733 6000
20 Fax.: +1 415 677 9041

21 Hong-An Vu (SBN 266268)
22 *hvu@goodwinlaw.com*
GOODWIN PROCTER LLP
23 601 S. Figueroa Street, 41st Floor
24 Los Angeles, California 90017
25 Tel.: +1 213 426 2500
Fax.: +1 213 623 1673

26 *Attorneys for Defendant: Otto Trucking LLC*

27 **UNITED STATES DISTRICT COURT**
28 **NORTHERN DISTRICT OF CALIFORNIA**
29 **SAN FRANCISCO DIVISION**

30 Waymo LLC,
31 Plaintiff,
32 v.
33 Uber Technologies, Inc.; Ottomotto LLC;
34 Otto Trucking LLC,
35 Defendants.

36 Case No. 3:17-cv-00939-WHA

37 **[PROPOSED] ORDER GRANTING MOTION**
38 **IN LIMINE TO EXCLUDE REPORT AND**
39 **TESTIMONY OF DR. LAMBERTUS**
HESSELINK

40 Trial: December 4, 2017,
41 Courtroom: 8 (19th Floor)
42 Judge: Hon. William Alsup

43 Filed/Lodged Concurrently with:

- 44 1. Motion in Limine to Exclude Testimony; and
- 45 2. Declaration of James Lin

[PROPOSED] ORDER

This matter comes before the Court on Defendant Otto Trucking, LLC's ("Otto Trucking") Motion to Exclude Report and Testimony of Dr. Lambertus Hesselink (the "Motion"). Having considered the arguments and evidence submitted and for good cause appearing:

IT IS HEREBY ORDERED THAT Otto Trucking's Motion is GRANTED.

Dr. Hesselink's opinion regarding Otto Trucking's liability based on theories of trade secret misappropriation, and any testimony based thereon is hereby excluded.

IT IS SO ORDERED.

Dated: _____, 2017

HON. WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

1 CERTIFICATE OF SERVICE

2 I hereby certify that I electronically filed the foregoing document with the Clerk of the
3 Court for the United States District Court for the Northern District of California by using
4 the CM/ECF system on **October 17, 2017**. I further certify that all participants in the
5 case are registered CM/ECF users and that service will be accomplished by the CM/ECF
6 system. I certify under penalty of perjury that the foregoing is true and correct. Executed on
7 **October 17, 2017.**

8 */s/ Neel Chatterjee*

9 NEEL CHATTERJEE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28